

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 4:</b> Assessment	<b>Effective Date:</b> November 1, 2014
	<b>Section 9:</b> Interviewing Children	<b>Version:</b> 5

<b>POLICY</b>
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The Indiana Department of Child Services (DCS) will conduct or arrange an individual face-to-face interview<sup>1</sup> with the alleged child victim, all other children living in the home (including children who live in the home part time due to a custody arrangement or have visitation in the home), and any children not living in the home who were present at the time of the alleged incident regardless of the allegation. The Family Case Manager (FCM) will always inquire about the household composition and if any other children live in the home part time or have visitation.

If a child who lives in the home part time or has visitation is listed as a *victim*, the child’s custodial parent shall be advised of the allegations by receiving a copy of the [Preliminary Report of Alleged Child Abuse or Neglect \(SF 114\)](#) and the [Assessment of Alleged Child Abuse or Neglect Report \(SF 113/CW0311\)](#). If the child is not listed as a victim, the child should be interviewed as a witness (see Practice Guidance).

The FCM will distinguish between making a “contact” with a child and when that child is “interviewed” by accurately documenting what occurred in Management Gateway for Indiana’s Kids (MaGIK).

**Contact vs. Interview**

A contact may be any communication or an in-person observation. An interview occurs when a person is individually questioned about the allegations of a Child Abuse and/or Neglect (CA/N) report not in the presence of family members or witnesses. A contact is not always considered an interview. A contact includes, but is not limited to:

1. **[REVISED]** Face-to-Face home, office, or other;
2. Telephone;
3. Fax;
4. Email;
5. Voice Mail; and
6. Correspondence.

When interviewing children who are alleged to have been exposed to domestic violence, DCS will focus interviews with children on the:

1. Result of witnessing what they saw and/or heard (are there any signs of behavioral, cognitive or emotional impact);
2. Child’s understanding and/or interpretation of the violence (how does the child explain what happened or what lead to the domestic violence); and
3. Child’s concerns about safety.

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<sup>1</sup> For children who are too young or unable to communicate, an interview will consist of face-to-face interaction with the child at a level that is appropriate given the child’s developmental status.

**Note:** It is critical to assess the unique impact of domestic violence on each child, not just what they were exposed to or observed.

**[REVISED]** A trained forensic interviewer may conduct an interview if the child is an alleged victim of sexual abuse and/or human trafficking; however, DCS will be present during the interview.

A Law Enforcement Agency (LEA) may conduct an interview if LEA and DCS are participating in a joint assessment, however, DCS will be present during the interview. Further, DCS will conduct an additional interview if unable to assess child safety and well-being during the joint LEA interview.

**[REVISED]** FCMs will consider all relevant factors regarding the assessment in determining when to utilize video and/or audio equipment to record interviews with children. Video and/or audio taping should be utilized in situations when allegations of sexual abuse, severe physical abuse, human trafficking, or other complex cases could lead to criminal charges being filed (see Practice Guidance).

#### Code References

1. [IC 31-34-13: Child videotape testimony in child in need of services proceedings](#)
2. [IC 5-26.5-1-3: "Domestic violence"](#)
3. [IC 34-6-2-34.5: "Domestic or family violence"](#)
4. **[NEW]** [IC 35-42-3.5: Human and Sexual Trafficking](#)

### **PROCEDURE**

The Family Case Manager (FCM) will:

1. **[NEW]** Contact the appropriate LEA to plan for a joint assessment if allegations of domestic violence, sexual abuse, human trafficking, or other allegations of criminal nature are reported during the CA/N intake;

**Note:** Refer to Practice Guidance for contact information regarding agencies to contact in cases of alleged human trafficking.

2. Determine which children require a face-to-face interview by asking if additional children live in the home part time or have visitation;
3. Obtain consent from a parent, guardian, or custodian prior to interviewing any child, unless exigent circumstances exist (see separate policies, [4.5 Consent to Interview Child](#) and [4.6 Exigent Circumstances](#));
4. Conduct the interview in a location and/or setting that assures privacy for the child;
5. Honor a parent, guardian, or custodian's request to be present during the interview **if** his or her presence will not impede or influence the interview in any way;

**[NEW] Note:** In cases of suspected human trafficking, it is important that the suspected trafficker is not present during the interview, as the trafficker may intimidate the victim(s) or not allow him or her to speak for himself/herself. The child's parent, guardian, or custodian may be the child's trafficker or the trafficker may be dishonest and identify himself/herself as the child's parent, guardian, or custodian.

- Determine when to video and/or audio tape the interview with an alleged victim by staffing with a Supervisor if possible;

**[REVISED] Note:** Video and/or audio taping should be utilized in situations when allegations of sexual abuse, severe physical abuse, human trafficking, or other complex cases could lead to criminal charges being filed.

- Develop rapport with the child prior to asking questions about the alleged CA/N;
- Explain to the child at the beginning of the interview what will happen with the information obtained during the interview (i.e., who will this information be shared with);
- [REVISED]** Document in MaGIK any possible behavioral signs of domestic violence or human trafficking in the child, especially statements that they are afraid of the alleged perpetrator, domestic violence offender, or human trafficking offender;
- Engage the child(ren) in the development of the [Family Support/Community Services Plan \(SF53243/CW3425\)](#), if age appropriate (see separate policy, [4.19 Family Support/Community Services Plan](#)).

## PRACTICE GUIDANCE

### **Interviewing Children that Live in the Home Part Time or Have Visitation**

If a child is determined to live in the home part time or has visitation as the result of a custody arrangement, the child requires a face to face interview. If it is determined that the child is *not* a victim, the FCM should proceed with setting up an interview with the child but is not permitted to disclose any details regarding the allegations of abuse or neglect to the child's custodial parent. The FCM should stress the importance of the interview by advising the parent that the child may have witnessed an incident or have information that has been disclosed to them by another child that may affect child safety. The FCM should also advise the child's parent that they may be present during the interview with their child.

**[NEW] Note:** In cases of suspected human trafficking, it is important that the suspected trafficker is not present during the interview, as the trafficker may intimidate the victim(s) or not allow him or her to speak for himself/herself. The child's parent, guardian, or custodian may be the child's trafficker or the trafficker may be dishonest and identify himself/herself as the child's parent, guardian, or custodian.

### **Video/Audio Taping Interviews**

The FCM is to make reasonable efforts to use audio and/or video equipment to record the interview with the child. Recording interviews may reduce the number of times an alleged child victim must be interviewed. It may also reduce the necessity for the alleged victim to provide further testimony if the case goes to court.

Decisions regarding how to record an interview should be made based on the circumstances of the report and the location of the interview. Written notes should always be taken during the interview (preferably by someone other than the assigned FCM when possible, such as LEA or another FCM). All information should be reviewed and clarified with the child to assure an accurate understanding of what the child said. The FCM should explain to the extent possible to the child that they are being recorded.

FCMs should use critical thinking skills to consider all factors when deciding to utilize video and/or audio equipment to record interviews with children. Video and/or audio taping should be

utilized in situations when allegations of sexual abuse, severe physical abuse, human trafficking, or other complex cases could lead to criminal charges being filed.

### **[REVISED] Location and Presence of Others**

In planning for an interview of a child, the FCM should ensure that the location of the interview is non-threatening and neutral so the child can feel safe. When circumstances allow, the child should be interviewed separately from other family members. The FCM should allow the interview to begin with the non-offending parent present and work toward separate interviews. The interview with the child should never be conducted in the presence of or within hearing distance of the alleged perpetrator (see note under **Interviewing Children that Live in the Home Part Time or Have Visitation**).

### **Types of Questions to Ask During an Interview**

Open-ended questions should be used as much as possible. Multiple-choice or yes and no questions should only be used if the FCM is unable to elicit any information from the child. The more open-ended the question, the greater confidence one can have in the child's response. The following open-ended questions are to provide guidance on gathering information regarding the who, what, when, where and how of the alleged CA/N:

**Who questions:** These questions are important in identifying the parties involved and who is aware of what has happened.

*Who did this? Who was there? Who knows about this besides you?*

**When questions:** These questions are used to determine the most recent occurrence as well as the duration of the abuse or neglect. In physical abuse cases, "When" questions are used, for instance, to determine if the degree of healing of the injury is consistent with the time frame the child is describing.

*When mommy left, what was on TV? When mommy came home, what was on TV?*

**Where questions:** These questions are used to determine the location of the CA/N as well as the whereabouts of other family members at the time of the occurrence.

*Where were you hit? Where were mommy and daddy at the time you were hit?*

**How questions:** These questions help children expand their responses. For instance, when a child says, "He hit me," the worker might say, "*How did he hit you?*" or "*Tell me about that.*"

**What questions:** These questions ask for descriptive statements or observations. The worker may need to ascertain whether the child was threatened, tricked, bribed or otherwise coerced to cooperate with a perpetrator (e.g., in a sexual abuse incident) or to maintain secrecy after any incident of abuse or neglect. For instance, a child who has divulged that the perpetrator "told me not to tell" should be asked, "*What did he say?*"

### **Indicators of Domestic Violence**

If any of the following indicators of domestic violence are observed during the course of an assessment, carefully consider how to proceed with the interview (i.e., if the alleged domestic violence offender is present, the interview may need to be handled differently than if the parent, guardian, custodian, or child were alone).

#### **Child Indicators:**

1. Child may blame self for the abuse;

2. Child may identify with the alleged domestic violence offender by “acting out” aggressively toward the non-offending parent;
3. Child may be depressed, confused, or exhibit animosity, anger, or sadness;
4. Infants may be moody, restless, sleepless, or lack responsiveness;
5. **[REVISED]** Child may experience regression, such as bed wetting or thumb sucking;
6. **[REVISED]** Child may show signs of school phobia- a manifestation of leaving the non-offending parent alone in the home;
7. **[REVISED]** Child may experience guilt or the inability to establish trusting relationships;
8. **[REVISED]** Child may try to hide the fact that domestic violence is present in the home;
9. Child may take on the “mothering” role;
10. Child may demonstrate fear when the alleged domestic violence offender is around;
11. **[REVISED]** Child may be overly protective of one (1) parent; and/or
12. Child may be withdrawn, apathetic, or feel insecure and powerless.

### **[NEW] Indicators of Human Trafficking<sup>2</sup>**

If any of the following indicators or a combination of several indicators of human trafficking are observed during the course of an assessment, the FCM will staff with his or her supervisor to determine if a human trafficking forensic interview is needed. For additional guidance, see separate policy [2.21 Human Trafficking](#).

#### **Child Indicators:**

1. Child may not be able or willing to speak on his or her own behalf;
2. Child may not be able to speak English;
3. Child may not be allowed to speak to the FCM alone;
4. Child may not have access to identification and/or travel documents;
5. Child may work long hours and receive little or no pay;
6. Child may not cooperate with the FCM during the interview (e.g., provide wrong information about identity and living situation);
7. Child may not attend school or has large gaps in his or her education history;
8. Child may live at his or her workplace or with his or her employer and many other people in a small area;
9. Child may have a **heightened** sense of fear and distrust of authority;
10. Child may have engaged in prostitution or commercial sex acts;
11. Child may have a significantly older boyfriend or girlfriend;
12. Child may be a runaway; and/or
13. Child may be in a public place (e.g., hotel) and found in possession of drugs/alcohol.

### **[NEW] Types of Questions to Ask During an Interview for Possible Cases of Human Trafficking**

When allegations of human trafficking have been made or the FCM observes indicators of human trafficking during the interview with the child, the following questions can be asked to help determine if a forensic interview is needed:

1. Tell me about your friends. What activities do you do with them? Where do these activities occur? (These questions will help determine if the child is able to leave the home, play, and visit friends- this can indicate levels of control and possible trafficking.)
2. Tell me about what you do in a typical day. What do you do outside of the home (e.g., work, extracurricular activities, etc.)? Do you like your work/doing these activities? Has

<sup>2</sup> State of Florida Department of Children and Families (2009). *Human Trafficking of Child Indicator Tool*. Retrieved from <http://www.dcf.state.fl.us/programs/humantrafficking/docs/HumanTraffickingOfChildrenIndicatoTool0109.pdf>.

someone told you/pressured you to participate in these activities? What happens if you do not participate in these activities? (These questions will help determine if the child feels forced to work or participate in other activities and what the consequences are if they do not participate.)

- How long have you been working? How many hours do you work each week? How much money do you make from work? How often are you paid? What do you do with your money after you are paid? Do you owe anyone any money, if so, how much do you owe and what led to the debt? (These questions will help determine if the child is forced to work to pay off any "debt", such as travel expenses, clothing, food, and/or rent. The number of hours the child works may also indicate if the child's work interferes with school attendance.)

**[NEW] Emergency Contacts to Request an Interviewer**

Contact the appropriate number listed below to request an interviewer if human trafficking is identified during the CA/N intake or the FCM observes indicators of human trafficking and it is determined a human trafficking forensic interview is appropriate.

County	Agency	Contact
Lake, St. Joseph, Porter, or LaPorte	U.S Dept. of Homeland Security	1-800-973-2867 <i>Ask for Duty Agent on Call</i>
Marion	Indianapolis Trafficked Persons Assistance Program 24-Hour Hotline (Julian Center)	1-800-928-6403 <i>Hotline will contact IMPD to notify Det. on duty</i>
All Counties except Lake, St. Joseph, Porter, LaPorte, and Marion	US Dept. of Homeland Security	1-800-973-2867 <i>Ask for Special Agent Assigned to Human Trafficking</i>
All Counties- <i>business hours only- attempt other contact first</i>	US Attorney's Office	(317)226-6333 <i>Ask for Co-Chair of IPATH</i>

**Note:** For non-emergencies, contact the Office of the Attorney General's tip-line at [humantraffickingtip@atg.in.gov](mailto:humantraffickingtip@atg.in.gov).

**FORMS AND TOOLS**

[Family Support/Community Services Plan \(SF53243\)](#)

**RELATED INFORMATION**

**Number of Interviews**

While it is best practice to conduct only one interview with a child, an FCM may have to conduct additional interviews with a child if the FCM was unable to gather sufficient information in the initial interview to assess child safety and well-being.

**Joint Interviews with LEA**

See separate policy, [4.29 Joint Assessments](#), for more information.

**Forensic Interviews for Children who are Alleged Victims of Sexual Abuse**

It is best for a child who is an alleged victim of sexual abuse to be interviewed by a professional who is trained and experienced in forensic interviewing. DCS offers specialized trainings on this topic. If DCS and LEA are present for an interview, the determination of who will lead the

interview should be based on who has the proper training and is able to develop rapport with the child.

Using means other than verbal communication is often a critical component of interviewing alleged victims of sexual abuse. In many cases what a child will demonstrate with objects or drawings is far more compelling than what they may say. The interviewer may ask the child to draw pictures of the home, the family, etc., or to communicate using blank figure drawings or anatomically detailed dolls and doll houses.

### **[NEW] Forensic Interviews for Children who are Alleged Victims of Human Trafficking**

Human trafficking may include either labor or sex trafficking. General screening questions should be incorporated into the initial interview to assist FCMs in recognizing indications of human trafficking. If human trafficking is suspected, FCMs will staff the case with their supervisor to determine if a forensic interview is needed. It is best for a child who is an alleged victim of human trafficking to be interviewed by a professional who is trained and experienced in interviewing victims of human trafficking. The forensic interview will include more extensive questions regarding human trafficking.

A forensic interviewer trained in human trafficking will take into account the complex nature of human trafficking. Victims of human trafficking rarely self-identify, and they may not identify their exploiter as their trafficker. Victims of human trafficking may have experienced trauma bonding and demonstrate a sense of loyalty or affection for their trafficker, and they may believe the trafficker cares for them. Victims may refer to the person controlling them as their boyfriend/girlfriend, father/mother (“daddy”/“mommy”), employer, or boss; therefore, the interviewer should mirror the language used by the child to avoid terms that may be offensive. Victims may have suffered physical abuse and/or received threats against them or their loved ones, which may lead them to be hesitant to accuse their trafficker or ask for help due to concerns about possible repercussions. In addition, victims of human trafficking are often lied to by their trafficker about what may happen to them if they report or seek help (e.g., a victim of sex trafficking may be told he or she will be arrested for prostitution), and foreign-born victims are often told they will be deported.

### **Child Advocacy Centers (CACs)**

At CACs, the various members of the Child Protection, Law Enforcement, Prosecution, Victim Advocacy, Medical and Mental Health Communities are able to provide children and their families comprehensive services within a child-friendly environment designed to meet the child's needs.